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09/748,925	12/27/2000	Peter Alan Luhrs	E58542.007	5089

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EXAMINER
BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
2157	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 March 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-31</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-31</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This Office Action is in response to Amendment filed March 29, 2007. Claims 1-31 are

presented for examination.

Claim Objections

1.   Claims 1, 11, 21, and 31 objected to because of the following informalities:

"compiling network data based on the layout, component characteristics, and logical

relationships" is understood to be "compiling network data based on the layout, *at least

one of input, output, and operational characteristics of components*, and logical

relationships". Also, "storing the compiled data in at least one network node of the

vehicle network, wherein the components function in accordance with the defined

characteristics and relationships" is understood to be "storing the compiled data in at

least one network node of the vehicle network, wherein the components function in

accordance with the defined *at least one of input, output, and operational* characteristics

and *logical* relationships".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

3.   Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by

Stuempfle et al. (hereinafter "Stue", US Patent 6,505,100 B1).

As per claims 1, 11, and 21, Stue discloses a method and apparatus for programming at

least a portion of a multiplexed vehicle network, comprising:

receiving user input via an intuitive graphical user interface (column 5, lines 54-60,

column 6, lines 59-65, column 7, lines 44-50);

identifying the layout of a peer-to-peer vehicle network based on the user input (column

3, lines 35-47, column 9, lines 26-30);

defining at least one input, output, and operational characteristics of components of the

vehicle network based on the user input (column 11, lines 25-45);

defining logical relationships between the components of the vehicle network based on

the user input (column 6, lines 4-13);

compiling network data based on the layout, component characteristics, and logical

relationships (column 7, lines 30-42);

storing the compiled data in at least one network node of the vehicle network, wherein

the components function in accordance with the defined characteristics and

relationships (column 12, lines 54-60).

As per claims 2, 12, 22, Stue discloses a method and apparatus according to claims 1, 11, 21 wherein the step of identifying the layout of the vehicle network includes identifying a vehicle network type (column 5, lines 19-32).

As per claims 3, 13, and 23, Stue discloses a method and apparatus according to claims 2, 12, and 22 wherein the step of compiling is based on the vehicle network type (column 7, lines 5-13).

As per claims 4, 14, and 24, Stue discloses a method and apparatus according to claims 1, 11, and 21, wherein the step of identifying the layout of the vehicle network includes identifying a particular network node (column 7, lines 61-67).

As per claims 5, 15, and 25, Stue discloses a method and apparatus according to claims 4, 14, and 24 wherein the step of identifying the layout of the vehicle network further includes identifying a component to provide input to the network node (column 5, lines 54-65).

As per claims 6, 16, 26, Stue discloses a method and apparatus according to claims 4, 14, and 24 wherein the step of identifying the layout of the vehicle network further includes identifying a component to receive output from the network node (column 7, lines 16-29).

As per claims 7, 17, and 27, Stue discloses a method and apparatus according to claims 1, 11, and 21 wherein the step of defining logical relationships includes:

identifying a command (column 11, lines 30-36);

selecting an input (column 7, lines 45-53);

assigning the command to the input (column 7, lines 45-53).

As per claims 8, 18, and 28, Stue discloses a method and apparatus according to claims 1, 11, and 21 wherein the step of defining logical relationships includes:

identifying a first command (column 11, lines 30-36);

selecting an output (column 7, lines 45-53);

assigning the first command to the output (column 7, lines 45-53).

As per claims 9, 19, and 29, Stue discloses a method and apparatus according to claims 8, 18, and 28 wherein the step of defining logical relationships further includes:

identifying a second command (column 11, lines 30-36);

identifying a relationship between the first and second commands (column 11, lines 40-46);

assigning the second command and the relationship to the output (column 11, lines 55-65).

As per claims 10, 20, and 30, Stue discloses a method according to claims 1, 11, 21 further including the step transmitting at least a portion of the stored data and

instructions to a network node, wherein the data and instructions form a control program

for the node (column 12, lines 53-60).

Response to Arguments

4.   Applicant's arguments with respect to claim have been considered but are moot

in view of the new ground(s) of rejection.

CONCLUSION

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Barbara N Burgess
Examiner
Art Unit 2157

June 7, 2007

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100